



3736
Dkt. 0575-56330-A/JPW/PJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Judah Z. Weinberger

Serial No. : 09/803,773 Examiner: C. A. Marmor, II

Date Filed : March 12, 2001 Group Art Unit: 3736

For : METHOD AND APPARATUS FOR TREATING A DISEASE
PROCESS IN A LUMINAL STRUCTURE

1185 Avenue of the Americas
New York, N.Y. 10036
September 12, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This Response is filed in response to the Notice of Non-Compliant Amendment issued August 12, 2005 in connection with the above-identified application. A response to the Notice is due September 12, 2005. Accordingly, this Response is timely filed.

In the Notice the Examiner stated that the status identifiers and claim markings reflecting the amendments to the claims are inaccurate because each claim have not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. The Examiner also stated that

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claims 1 and 8, the claims are identified as "Currently Amended" claims but the amendments that are marked (underlined) therein are reflective of the amendments that were previously presented in the amendments that were previously presented in the amendment of 22 December 2003. The Examiner stated that amendments that are reflective of the changes currently being made (those corresponding to the noncompliant amendment of 21 July 2004) are not properly marked. The Examiner also stated that, regarding claim 22, the claim is identified as "Currently Amended" but no markings are provided to highlight the changes being made (those corresponding to the noncompliant amendment of 21 July 2004). The Examiner also stated that regarding claims 25, 28 and 29, the status "Previously AmendedPresented" is not a proper status identifier.

In response, applicant attaches as Exhibit A a new listing of claims which are based on the most recent version of the claims dated July 21, 2004.


No fee is believed to be due in connection with this Communication. If any additional fee is required, authorization

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is hereby given to charge the amount of any such fee to Deposit
Account Number 03-3125.

I hereby certify that this correspondence
is being deposited this date with the
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P.O. Box 1450
Alexandria, VA 22313-1450


Peter J. Phillips
Reg. No. 29,691

Date

9/12/05

Respectfully submitted,



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